

REMARKS

This paper is presented in response to the Office Action. By this paper, claim 14 is canceled, claims 1, 15, 17-21, 23 and 24 are amended, and new claim 25 is added. Claims 1-13 and 15-25 are now pending in view of the aforementioned cancellations and new claims.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicant notes that the remarks and amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such remarks, or a lack of remarks, and amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicant, of additional or alternative distinctions between the claims of the present application and any references cited by the Examiner, and/or the merits of additional or alternative arguments.

II. Rejection of Claims 1-24 under 35 U.S.C. § 102

Applicant respectfully notes that a claim is anticipated under 35 U.S.C. § 102(a), (b), or (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *MPEP* § 2131.

The Examiner has rejected claims 1-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,244,045 to Nosu et al. ("*Nosu*"). Applicant respectfully disagrees, and submits that for at

least the reasons set forth below, the rejection should be withdrawn. Applicant notes at the outset that inasmuch as claim 14 is canceled herein, the rejection of that claim is moot and should be withdrawn.

a. claim 1

By this paper, claim 1 has been amended to require, among other things "... a plurality of subassemblies, each subassembly comprising: an optoelectronic transducer supported by a substrate; and an associated optical system that includes a lens attached to the substrate." Support for this amendment can be found, for example, at least at Figures 1, 3 and 4 of the application. In contrast, the Examiner has not established that *Nosu* or any other reference teaches, or even suggests, the aforementioned limitation in combination with the other limitations of claim 1.

b. claims 16 and 17

Applicant notes that it appears that the Examiner is relying on personal knowledge as a basis for rejecting claims 16 and 17. Particularly, the Examiner has simply stated that "... leadframes are routinely used to encapsulate optoelectronics which also incorporates integrated circuits and furthermore, leadframes are provided with heat guiding adhesive ..." and the Examiner has not identified any references or other materials in support of this statement. In view of the foregoing, and pursuant to 37 C.F.R. 1.104(d)(2), Applicant hereby respectfully requests an Examiner affidavit that: (i) specifically identifies any and all reference(s), other than those that have been specifically cited by the Examiner, upon which the rejection of claims 16-17 is based; and (ii) provides complete details concerning the reasoning and analysis of the Examiner concerning those references as those references are purported to apply to the rejection of claims 16-17.

c. claim 23

By this paper, claim 23 has been amended to require, among other things "... a plurality of subassemblies mounted adjacent to the second surface of the monolithic transparent body, each subassembly including an optoelectronic transducer supported by a substrate that includes a lens, the lens defining an associated optical axis aligned at an oblique angle relative to the second surface ..." Support for this amendment can be found, for example, at least at Figures 1, 3 and 4 of the application. In contrast, the Examiner has not established that *Nosu* or any other reference teaches, or even suggests, the aforementioned limitation in combination with the other limitations of claim 23.

d. claim 24

By this paper, claim 24 has been amended to require, among other things "...each subassembly including an optoelectronic transducer supported by a substrate, and each subassembly further including an associated optical system, each associated optical system defining an associated second optical axis that is aligned at the oblique angle relative to the second surface, the optical system comprising a lens

formed on or in the substrate; ...” Support for this amendment can be found, for example, at least at Figures 1, 3 and 4 of the application. In contrast, the Examiner has not established that *Nosu* or any other reference teaches, or even suggests, the aforementioned limitation in combination with the other limitations of claim 24.

e. conclusion

In light of the foregoing discussion, Applicant respectfully submits that the Examiner has not established that claims 1-24 are anticipated by *Nosu*, at least because the Examiner has not established that the identical invention is shown in *Nosu* in as complete detail as is contained in claims 1-24, and because the Examiner has not shown that *Nosu* discloses the elements of those claims arranged as required by the claims. For at least the foregoing reasons, Applicant respectfully submits that the rejection of claims 1-24 should be withdrawn.

III. New Claim 25

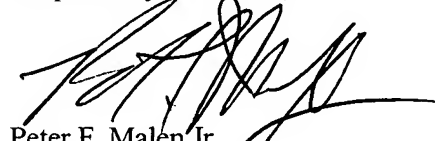
By this paper, Applicant has added new dependent claim 25. Support for this new claim can be found, for example, at least at paragraph [0032] of the specification. Inasmuch as claim 25 depends from claim 1, believed to be in allowable condition for at least the reasons set forth herein, Applicant respectfully submits that claim 25 is likewise in allowable condition.

CONCLUSION

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 1-13 and 15-25 is in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 15th day of March, 2006.

Respectfully submitted,



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